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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/533,000	09/23/2005	Pasi Kakkonen	DB001177-000	1677
24122 7590 03/17/2009 THORP REED & ARMSTRONG, LLP ONE OXFORD CENTRE 301 GRANT STREET, 14TH FLOOR PITTSBURGH, PA 15219-1425				
EXAMINER NGUYEN, JIMMY T				
ART UNIT		PAPER NUMBER		
3725				
MAIL DATE		DELIVERY MODE		
03/17/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/533,000

Applicant(s)

KAKKONEN, PASI

Examiner

JIMMY T. NGUYEN

Art Unit

3725

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1/2/09.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-18 is/are pending in the application.
- 4a) Of the above claim(s) 11-14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8-10 and 15-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 January 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Response to Amendment

The amendment filed on January 02, 2009 has been entered and considered and an action on the merits follows.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 8-10 and 15-18 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claims 8 and 15-18, the specification does not provide support for the amended limitation “non-roll connecting members”. This is new matter. Figure 1 shows connecting members (56) “connecting” the rolls (i.e. rolls 11 and 40), and thus, the connecting members are a roll connecting members. The term “non-roll” is new matter.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 8-10 and 15-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 8 and 15-18, there is no antecedent basis for the limitation “non-roll connecting members” in the specification.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 8-10 and 15-18 are rejected under 35 U.S.C. 102(b) as being anticipated by anticipated by Svenka et al. (hereinafter “Svenka”) (US 6,688,218).

Regarding claims 8 and 15, as best understood, Svenka discloses a calender arrangement comprising a first stack of rolls comprising a first plurality of rolls (5-7) each of which is “connected” (i.e. indirectly connected) to a first frame (18) by a non-roll connecting member (see an element that hold a lever (14, 15, or 16) at its pivot axis in fig. 3, this connecting member is connecting the lever to a frame; and therefore, it is a “non-roll” connecting member) and a second stack of rolls comprising a second plurality of rolls (5’-7’) each of which is connected (i.e. indirectly connected) to a second frame (18’) by a non-roll connecting member (see an element that hold a lever (14’, 15’, or 16’) at its pivot axis in fig. 3, this connecting member is connecting the lever to a frame; and therefore, it is a “non-roll” connecting member). Both of the first stack of

rolls and the second stack of rolls further comprises a plurality of calendaring nips (9-10 and 9'-10'), wherein the nips to be used are selectable out of both of the stack of rolls (fig. 3) and both of the stacks of rolls are used in combination together (fig. 3). The second frame (18') is adjustable "connected" (i.e. adjustable by movement of the cylinder (19')) to the first frame (18). The second frame (18') is slidably "connected" to the first frame (18) (fig. 3), and therefore, the second frame is capable of removably connected (i.e. indirectly connected) from the first frame.

Regarding claim 9, the second frame is adjustable upward and downward in relation to the first frame (fig. 3). Therefore, the adjustment is feasible in a Y direction.

Regarding claim 10, the web is guided first through the nips of the first stack (fig. 3) and after that through the nips of the second stack (fig. 3).

Regarding claims 16 and 17, Svenka discloses one of the frame is adjustable "connected" to the other of the frames as set forth above. Therefore, Svenka discloses the first frame being movable relation to the second frame.

Regarding claim 18, as best understood, Svenka discloses a calender arrangement comprising a first stack of rolls comprising a first plurality of rolls (5-7) each of which is connected (i.e. indirectly connected) to a first frame (18) by a non-roll connecting member (see an element that hold a lever (14, 15, or 16) at its pivot axis (fig. 3), this connecting member is connecting the lever to a frame; and therefore, it is a "non-roll" connecting member) and a second stack of rolls comprising a second plurality of rolls (5'-7') each of which is "connected" to a second frame (18') by a non-roll connecting member (see an element that hold a lever (14', 15', or 16') at its pivot axis (fig. 3), this connecting member is connecting the lever to a frame; and therefore, it is a "non-

roll” connecting member). Both of the first stack of rolls and the second stack of rolls further comprises a plurality of calendering nips (9-10 and 9'-10'), wherein the nips to be used are selectable out of both of the stack of rolls (fig. 3) and both of the stacks of rolls are used in combination together (fig. 3). The second frame (18') is adjustable connected (i.e. adjustable by movement of the cylinder (19')) to the first frame (18). The second frame (18') is slidably “connected” (i.e. indirectly connected) to the first frame (18) (fig. 3), and thus, the second frame is capable of removably connected from the first frame. The second frame is “adjustable” in relation to the first frames (fig. 3) which allows adjustment in a Y direction.

Response to Arguments

Applicant's arguments filed January 02, 2009 have been fully considered but they are not persuasive. Applicant argued that even if the elements 18 and 18' of SVENKA are frames, there is only one roll of each stack of rolls is connected to each of the frames by one or more non-roll connecting members, this argument is not found persuasive because the first stack of rolls, for example, having rolls (5-7), all of these rolls are “connected” indirectly to the frame (18) via a frame (13) by non-roll connecting members (see the elements that hold the levers (14, 15, or 16) at their pivot axes in fig. 3). Therefore, there is more than one roll “connected” (i.e. indirectly connected) to the frame by connecting members. Accordingly, SVENKA clearly anticipates the amended claims 8 and 15-18 based on the interpretation as set forth above. It is suggested that the claims be more specific on the structure arrangement of the rolls with respect to the frame and the interconnection sections with holes to facilitate the adjustment of the frames, in order to overcome these rejections and to avoid a broad interpretation.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JIMMY T. NGUYEN whose telephone number is (571)272-4520. The examiner can normally be reached on Monday-Thursday 7:30am-5:00pm with alternating Fri. 7:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dana Ross can be reached on (571) 272- 4480. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JTNguyen
March 13, 2009

/Jimmy T Nguyen/
Primary Examiner, Art Unit 3725